

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OCT 1 8 2012

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Erik W. Johansen State of Washington Department of Agriculture P.O. Box 42560 Olympia, WA 98504-2560

Subject: 24(c) Special Local Need Registration

WA-960004 Amendment dated February 29, 2012

Receipt Acknowledged

Dear Mr. Johansen,

This will acknowledge receipt of the above notification of a Special Local Need (SLN) Registration amendment pursuant to Section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. This SLN registration is for the use of Fyfanon ULV (EPA Reg. No. 67760-35) on cottonwood and hybrid poplar plantations to control grasshoppers. The amendment provided revised labeling consistent with Washington State Department of Agriculture requirements and an expiration date of December 31, 2016.

SLN#:

WA-960004

Parent Product:

Fyfanon ULV

EPA Reg. No.:

67760-35

24(c) Registrant:

Cheminova Malathion

Active Ingredient: Site:

Cottonwood and poplar plantations

Expiration date:

December 31, 2016

If you have any questions regarding this letter, please contact Keri Grinstead at 703-308-8373 or Grinstead.Keri@epa.goy.

Sincerely,

Tawanda Maignan, Team Leader

Emergency Response Team

Risk Integration, Minor Use and Emergency Response Branch

Registration Division

Office of Pesticide Programs

CC: Chad Schulze, EPA Region 10



STATE OF WASHINGTON DEPARTMENT OF AGRICULTURE

PO Box 42560 • Olympia, Washington 98504-2560 • http://agr.wa.gov • (360) 902-1800

February 29, 2012

Luis Suguiyama – Branch Chief Risk Integration, Minor Use, and Emergency Response Branch U.S. EPA Office of Pesticide Programs (7505 P) Room S4900, One Potomac Yard 2777 Crystal Drive Arlington, VA 22202

RE: EPA SLN Reg. Number WA-960004

Dear Luis,

Enclosed is revised labeling for Washington Special Local Need (SLN) registration number WA-960004 issued to Cheminova for the use of Fyfanon ULV AG (EPA Reg. No. 67760-35) on cottonwood and hybrid popular plantations to control grasshoppers.

The SLN registration was revised to be consistent with current WSDA requirements, and the SLN label will expire after December 31, 2016.

If you have any questions, please contact me at (360) 902-2078 or by e-mail at ejohansen@agr.wa.gov.

Sincerely,

PESTICIDE MANAGEMENT DIVISION

Erik W. Johansen

Special Pesticide Registration Program Coordinator

enclosure

cc: Carrie Tackema, Cheminova

FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF WASHINGTON

Fyfanon® ULV AG

EPA Reg. No. 67760-35

EPA SLN No. WA-960004

- It is a violation of federal law to use this product in a manner inconsistent with its labeling.
- This labeling must be in the possession of the user at the time of application.
- Follow all applicable directions, restrictions, Worker Protection Standard requirements, and precautions on the EPA registered label.

This label for Fyfanon ULV AG expires and must not be distributed or used in accordance with this SLN registration after December 31, 2016.

DIRECTIONS FOR USE

Cottonwood and Hybrid Poplar Plantations / Grasshoppers:

Use 8-12 fluid ounces of Fyfanon ULV AG per acre for grasshopper control in cottonwood and hybrid poplar plantations. Apply with fixed wing aircraft flying less than 150 mph or helicopter equipped for ultra low volume application. More than one application may be necessary depending upon severity of grasshopper populations and weather conditions. Application of Fyfanon ULV AG to bordering range grass (e.g. 500 feet) at 6-8 fluid ounces per acre will protect the adjacent cottonwood or hybrid poplar plantation from reinfestation by grasshoppers.

Restrictions / Precautions:

- Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.
- Do not apply more than 3 times per season. Allow at least 7 days between applications. Do not apply more than 36 fluid ounces per acre per season.
- The interaction of equipment and weather related factors determines the potential for spray drift. Apply only when weather conditions are favorable. Wind and rising air currents may cause undesirable spray drift and reduce insect control. Temperature inversions can restrict vertical air mixing. Do not make aerial applications during temperature inversions due to the high potential for drift.
- This pesticide is toxic to fish, aquatic invertebrates, and aquatic life stages of amphibians. Fyfanon ULV AG should not be used under this SLN label where impact on listed threatened or endangered species is likely. You may refer to the

WSDA Endangered Species Program web site at http://agr.wa.gov/PestFert/NatResources/EndangSpecies.aspx, or contact the Washington Department of Fish & Wildlife, National Marine Fisheries Service (NOAA Fisheries) or US Fish & Wildlife Service for information regarding aquatic species listed as threatened or endangered. Consult the federal label for additional restrictions and precautions to protect aquatic organisms.

- Certain uses of malathion may be restricted by a U.S. District Court final order. You
 may refer to the WSDA Endangered Species Program web site at
 http://agr.wa.gov/PestFert/natresources/Buffers.aspx for information regarding
 pesticides that are impacted by the final order.
- This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or broadleaf weeds. Do not apply this product or allow it to drift to blooming crops or broadleaf weeds. Broadleaf weed bloom must be controlled prior to the application in cottonwood/poplar plantation borders with 5 or more blooms per square yard.
- For use under this SLN label do not apply this product through any type of irrigation system.

WSDA Container Disposal Guidance:

Pesticide containers must be properly cleaned prior to disposal. The best time to clean empty pesticide containers is during mixing and loading, because residue can be difficult to remove after it dries. Triple rinse (or pressure rinse) the pesticide container, empty all pesticide rinse water into the spray tank, and apply to a labeled crop or site. Recycling cleaned containers is the best method of container disposal. Information regarding the recycling of empty and cleaned plastic pesticide containers in Washington is available on the WSDA Waste Pesticide Program web site at http://agr.wa.gov/PestFert/Pesticides/WastePesticide.aspx. Cleaned containers may also be disposed of in a sanitary landfill, if permitted by the county. Burning is not a legal method of container disposal in Washington.

24(c) Registrant: Cheminova Inc. ®Fyfanon is a registered trade mark of

One Park Drive, Suite 150 Cheminova

P.O. Box 110566 Product of Denmark

Research Triangle Park,

NC 27709

Rev. 1-31-2012

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460



OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

SEP 2 1 2011

Joy Harkness Washington State Dept of Agriculture Pesticide Management P.O. Box 42560 Olympia, WA 98504

Subject:

EPA SLN No. WA-960004

Fyfanon ULV AG (EPA Reg. No. 67760-35)

Label Assessment for Reregistration

Dear Ms. Harkness:

The Special Local Need registration identified above has been reviewed, and is in compliance with the requirements of the Malathion Registration Eligibility Document.

Sincerely,

Driss Benmhend, Acting PM 01 Insecticide-Rodenticide Branch Registration Division (7505P)

cc: Carrie Tackema

Registration Manager Cheminova, Inc.

One Park Drive, Suite 150

P.O. Box 110566

Research Triangle Park, NC 27709



Fyfanon® ULV AG

FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF WASHINGTON

EPA Reg. No. 67760-35

EPA SLN No. WA-960004

ENVIRONMENTAL HAZARDS

This pesticide is toxic to aquatic organisms, including fish and invertebrates. This pesticide is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area.

This product may contaminate water through drift of sphay in wind. This product has a high potential for runoff after application. Use care when applying in or to an area which is adjacent to any body of water, and do not apply when weather conditions favor drift from target area. Poorly draining soils and soils with shallow water tables are more prone to produce runoff that contains this product. A level, well maintained vegetative buffer strip between areas to which this product is applied and surface water features such as ponds, streams, and springs will reduce the potential for contamination of water from rainfall-runoff. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters.

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

Directions for Use

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation. This label and the federal label for this product must be in the possession of the user at the time of pesticide application.

Follow all applicable directions, restrictions and precautions on this Supplemental label and the main EPA-registered label. It is a violation of federal law to use this product in a manner inconsistent with its labeling.

Cottonwood and Hybrid Poplar Plantations / Grasshoppers:

Use 8-12 fluid ounces of Fyfanon ULV AG per acre for grasshopper control in cottonwood and hybrid poplar plantations. Apply with fixed wing aircraft flying less than 150 mph or helicopter equipped for ultra low volume application. Maximum of 2 applications per year may be necessary depending upon severity of grasshopper populations and weather conditions. Application of Fyfanon ULV AG to bordering buffer

strip (e.g. 500 feet) at 6-8 fluid ounces per acre will protect the adjacent cottonwood or hybrid poplar plantation from reinfestation by grasshoppers.

Restrictions:

- Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.
- Do not apply more than 2 times per year. Allow at least 7 days between applications.
- The interaction of equipment and weather related factors determines the potential for spray drift.
 Apply only when weather conditions are favorable. Wind and rising air currents may cause undesirable spray drift and reduce insect control. Temperature inversions can restrict vertical air mixing. Do not make aerial applications during temperature inversions due to the high potential for drift.
- Fyfanon ULV AG should not be used under this SLN label where impact on listed threatened or
 endangered species is likely. You may refer to the WSDA Endangered Species Program web site at
 http://agr.wa.gov/PestFert/EnvResources/EndangSpecies.htm, or contact the Washington Department
 of Fish & Wildlife, National Marine Fisheries Service (NOAA Fisheries) or US Fish & Wildlife Service
 for information regarding aquatic species listed as threatened or endangered. Consult the federal
 label for additional restrictions and precautions to protect aquatic organisms.
- Certain uses of malathion may be restricted by a U.S. District Court final order. You may refer to the WSDA Endangered Species Program web site at http://agr.wa.gov/PestFert/EnvResources/Buffers.htm for information regarding pesticides that are impacted by the final order.
- Do not apply this product or allow it to drift to blooming crops or broadleaf weeds. Broadleaf weed bloom must be controlled prior to the application in cottonwood/poplar plantation borders with 5 or more blooms per square yard.
- For use under this SLN label do not apply this product through any type of irrigation system.

WSDA Container Disposal Guidance:

Pesticide containers must be properly cleaned prior to disposal. The best time to clean empty pesticide containers is during mixing and loading, because residue can be difficult to remove after it dries. Triple rinse (or pressure rinse) the pesticide container, empty all pesticide rinse water into the spray tank, and apply to a labeled crop or site. Recycling cleaned containers is the best method of container disposal. Information regarding the recycling of empty and cleaned plastic pesticide containers in Washington is available on the WSDA Waste Pesticide Program web site at

http://agr.wa.gov/PestFert/Pesticides/WastePesticide.htm. Cleaned containers may also be disposed of in a sanitary landfill, if permitted by the county. Burning is not a legal method of container disposal in Washington.

This label for Fyfanon ULV AG expires and must not be distributed or used in accordance with this SLN registration after December 31, 2011.

24(c) Registrant:

Cheminova Inc.

One Park Drive, Suite 150 P.O. Box 110566

Research Triangle Park,

NC 27709

® Fyfanon is a registered trade mark of

Cheminova

Product of Denmark

or flall

Dear Ms. Tackema:

In order to move forward with the use deletion label amendments of 9/3/09 and the Malathion RED labeling requirements, please make the following revisions to your EPA SLN No. WA-960004:

- 1. On page 1 of the label, please increase the font size of the header "Directions for Use" so that the user is clear about what these are.
- On page 1 of the label, under "Cottonwood and hybrid Poplar Plantations" revise "...and weather conditions. Application of ..." to read "... and weather conditions. Maximum of 2 applications per year. Application of ..." (change in bold)
- 3. On page 2 of the label, under "Cottonwood and hybrid Poplar Plantations" revise "...of Fyfanon ULV to bordering range grass (e.g. 500 feet)..." to read "...of Fyfanon ULV to bordering **buffer strip** (e.g. 500 feet)..." (change indicated in **bold**)
- 4. On page 2 of the label, revise the subheader "Precautions/Restrictions" to read "Restrictions" what is listed is a restriction not a precaution.
- 5. On page 2 of the label, under "Restrictions" revise "Do not apply more than 3 times per year" to read "Do not apply more than 2 times per year." (change indicated in **bold** this makes the statement more definitive)

NOTE: This sln label is due to expire on 12/31/11.

Please submit these label changes back to me via email (lewis.marianne@epa.gov) as soon as possible so that I can proceed with this action.

If you have any questions please call or email.

Thanks,

Marianne Lewis Biologist IRB/RD 703 308-8043 128-3-3

Material to be added to an e-Jacket/Jacket

SLN# Reg. No. <u>WA 960004</u>

1.	Placement within the e-Jacket/jacket:
	Default: (chronological, top = newest)
	☐ File Location: (PDF page number, i.e., "before page 45")
2. □	Send to Data Extraction contractors this material:
2. 🗆	□ Newly stamped accepted label
	□ Notification
	□ New CSF
	Other:
must b	ach this coversheet to the top of the material or jacket. It be well organized and clipped together, NOT STAPLED. give the material with this coversheet to staff in the nation Services Center (Room S-4900).
Revie	ewer's Name:Marilyn Mautz



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

JAN 14 2009

Mr. Erik W. Johansen Special Pesticide Registration Program Coordinator Pesticide Management Division Washington Department of Agriculture P.O. Box 42560 Olympia, WA 98504

Dear Mr. Johansen:

Subject: Updated Parent Product Reg. No.

Fyfanon ULV AG

EPA SLN No.WA960004

This is in reference to your letter of September 25, 2008 notifying the Agency of the subject label amendment.

A copy of the amended label transmitted with your letter referenced above has been placed in our file for the subject SLN.

Sincerely,

Marilyn A. Mautz

Biologist

Insecticide-Rodenticide Branch Registration Division (7504P)



STATE OF WASHINGTON DEPARTMENT OF AGRICULTURE

PO Box 42560 • Olympia, Washington 98504-2560 • http://agr.wa.gov • (360) 902-1800

September 25, 2008

Document Processing Desk (SLN)
Office of Pesticide Programs – 7504 P
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

RE: EPA SLN Reg. No. WA-960004

Enclosed is revised labeling for Washington Special Local Need (SLN) registration number WA-960004 issued to Cheminova for the use of Fyfanon ULV AG (EPA Reg. No. 67760-35) on cottonwood and hybrid poplar plantations to control grasshoppers. This registration was issued under authority of Section 24(c) FIFRA.

The SLN label was revised because the registrant indicated that the EPA registration number has changed. There were no changes to the use directions, restrictions or precautions on the SLN label.

The SLN label expires on December 31, 2011.

If you have any questions, please contact me at (360) 902-2078 or by e-mail at ejohansen@agr.wa.gov.

Sincerely,

PESTICIDE MANAGEMENT DIVISION ...

Erik W. Johansen

Special Pesticide Registration Program Coordinator

Enclosure

cc: Carrie Tackema, Cheminova

Doug Walsh, WSU

Jane Thomas, WSU

G

Fyfanon® ULV AG

FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF WASHINGTON

EPA Reg. No. 67760-35

EPA SLN No. WA-960004

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DIRECTIONS FOR USE

Cottonwood and Hybrid Poplar Plantations / Grasshoppers:

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Restrictions / Precautions:

- Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.
- Do not apply more than 3 times per season. Allow at least 7 days between applications.
- The interaction of equipment and weather related factors determines the potential for spray drift. Apply only when weather conditions are favorable. Wind and rising air currents may cause undesirable spray drift and reduce insect control. Temperature inversions can restrict vertical air mixing. Do not make aerial applications during temperature inversions due to the high potential for drift.
- This pesticide is toxic to fish, aquatic invertebrates, and aquatic life stages of amphibians. Fyfanon ULV AG should not be used under this SLN label where impact on listed threatened or endangered species is likely. You may refer to the

WSDA Endangered Species Program web site at http://agr.wa.gov/PestFert/EnvResources/EndangSpecies.htm, or contact the Washington Department of Fish & Wildlife, National Marine Fisheries Service (NOAA Fisheries) or US Fish & Wildlife Service for information regarding aquatic species listed as threatened or endangered. Consult the federal label for additional restrictions and precautions to protect aquatic organisms.

- Certain uses of malathion may be restricted by a U.S. District Court final order. You
 may refer to the WSDA Endangered Species Program web site at
 http://agr.wa.gov/PestFert/EnvResources/Buffers.htm for information regarding
 pesticides that are impacted by the final order.
- This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or broadleaf weeds. Do not apply this product or allow it to drift to blooming crops or broadleaf weeds. Broadleaf weed bloom must be controlled prior to the application in cottonwood/poplar plantation borders with 5 or more blooms per square yard.
- For use under this SLN label do not apply this product through any type of irrigation system.

WSDA Container Disposal Guidance:

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This label for Fyfanon ULV AG expires and must not be distributed or used in accordance with this SLN registration after December 31, 2011.

:			
24(c) Reg	gistrant:	Cheminova Inc. One Park Drive, Suite 150 P.O. Box 110566 Research Triangle Park, NC 27709	®Fyfanon is a registered trade mark of Cheminova Product of Denmark
			Rev. 9-24-08

Material to be added to a Mini-Jacket (in the case where an e-Jacket exists)

Reg. No. <u>WA 960004</u>
Send to SIG: check box This material is:
 New stamped-accepted label New CSF Notification Final Printed Label ✓ Other: 7/es /s /N TRC
Instructions: Attach this notice on top of the material. It must be clipped all together and there should be NO STAPLES in the material. Then give the material with this coversheet to staff in the Information Services Center
Reviewer's Name: Bety R. Williams
Phone: <u>308-0132</u> Division: <u>PD</u> / <u>TRB</u>
Date: 1-5-07





STATE OF WASHINGTON DEPARTMENT OF AGRICULTURE

PO Box 42560 • Olympia, Washington 98504-2560 • http://agr.wa.gov • (360) 902-1800

April 19, 2006

Document Processing Desk (SLN) Office of Pesticide Programs - H7504C U.S. Environmental Protection Agency Ariel Rios Building 1200 Pennsylvania Avenue, N.W. Washington, DC 20460

RE: EPA SLN Reg. No. WA-960004

Enclosed is revised labeling for Washington Special Local Need (SLN) registration number WA-960004 issued to Cheminova for the use of Fyfanon ULV Insecticide (EPA Reg. No. 67760-34) on cottonwood and hybrid poplar plantations to control grasshoppers. This registration was issued under authority of Section 24(c) FIFRA.

The SLN label was revised to be consistent with current WSDA requirements. Label directions were rewritten for clarity, a restricted entry interval of 12 hours was added, a reference to a U.S. District Court Final Order regarding restrictions on certain uses of malathion was added, the maximum number of applications was limited to three per year, and WSDA container disposal guidance was added.

The SLN label expires on December 31, 2011.

If you have any questions, please contact me at (360) 902-2078 or by e-mail at ejohansen@agr.wa.gov.

are mixed and hypera popular him reflective to comical grasshuppers, it has registration with books proof to commission for the use of persons at the Annual de (EPA Logs, Mr.

Sincerely,

PESTICIDE MANAGEMENT DIVISION

Erik W. Johansen

Special Pesticide Registration Program Coordinator

Fr. W. T. Jak +

Enclosure

cc: Kathryn Luba, Cheminova Jane Thomas, WSU•

Doug Walsh, WSU

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Fyfanon® ULV Insecticide

FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF WASHINGTON

EPA Reg. No. 67760-34

EPA SLN No. WA-960004

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 air currents may cause undesirable spray drift and reduce insect control.
 Temperature inversions can restrict vertical air mixing. Do not make aerial
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the WSDA Endangered Species Program web site at http://agr.wa.gov/PestFert/EnvResources/EndangSpecies.htm, or contact the Washington Department of Fish & Wildlife, National Marine Fisheries Service (NOAA Fisheries) or US Fish & Wildlife Service for information regarding aquatic species listed as threatened or endangered. Consult the federal label for additional restrictions and precautions to protect aquatic organisms.

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This label for Fyfanon ULV Insecticide expires and must not be distributed or used in accordance with this SLN registration after December 31, 2011.

24(c) Registrant:

Cheminova Inc.

1700 Rt. 23

Wayne, NJ 07470

®Fyfanon is a registered trade mark of

Cheminova

Product of Denmark